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*Proposed Co-Counsel for Debtors and
Debtors in Possession*

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

BED BATH & BEYOND INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 23-13359 (VFP)

(Joint Administration Requested)

APPLICATION FOR *PRO HAC VICE* ADMISSION OF JOSHUA A. SUSSBERG, P.C.

Bed Bath & Beyond Inc. and its affiliated debtors in possession (the “Debtors”), by and through their counsel, Cole Schotz P.C., respectfully submit this application (the “Application”), for the *pro hac vice* admission of Joshua A. Sussberg, P.C., and represents as follows:

1. On April 23, 2023, the Debtors filed voluntary petitions for relief under chapter 11 of the Bankruptcy Code, commencing the above captioned chapter 11 cases in the United States Bankruptcy Court for the District of New Jersey.

¹ The last four digits of Debtor Bed Bath & Beyond Inc.’s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor’s tax identification number may be obtained on the website of the Debtors’ proposed claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.’s principal place of business and the Debtors’ service address in these chapter 11 cases is 650 Liberty Avenue, Union, New Jersey 07083.

2. Joshua A. Sussberg, the president of Joshua A. Sussberg, P.C., a partner in the firm of Kirkland & Ellis LLP has represented the Debtors in connection with these matters. Because of his familiarity with the facts and circumstances relevant to the Debtors in these matters, the Debtors request that Mr. Sussberg be allowed to appear *pro hac vice* in the within matters.

3. As set forth in the Certification of Mr. Sussberg, annexed hereto as **Exhibit A**, Mr. Sussberg is a member in good standing of the bar of the State of New York. Mr. Sussberg is not under suspension or disbarment by any court.

4. If admitted *pro hac vice*, Mr. Sussberg has represented that he will adhere to the disciplinary jurisdiction of this Court.

WHEREFORE, it is respectfully requested that the Court grant the Debtors' Application, pursuant to D.N.J. LBR 9010-1 and L. Civ. R. 101.1(c), to admit counsel *pro hac vice* in the above captioned matters.

Respectfully submitted,

COLE SCHOTZ P.C.
Co-Counsel for Bed Bath & Beyond Inc.

By: /s/ Michael D. Sirota
Michael D. Sirota

Date: April 24, 2023

COLE SCHOTZ P.C.

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

BED BATH & BEYOND INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 23-13359 (VFP)

(Joint Administration Requested)

**CERTIFICATION OF JOSHUA A. SUSSBERG IN SUPPORT OF
APPLICATION FOR *PRO HAC VICE* ADMISSION OF JOSHUA A. SUSSBERG, P.C.**

Joshua A. Sussberg, of full age, hereby certifies as follows:

1. I am an attorney-at-law duly admitted to practice before the courts of the State of New York. Through my professional corporation, Joshua A. Sussberg, P.C. (the “Professional Corporation”), I am a partner in the firm of Kirkland and Ellis LLP, counsel for Bed Bath & Beyond Inc. and its affiliated debtors and debtors in possession (the “Debtors”). I submit this Certification in support of the accompanying Application for the Professional Corporation’s admission *pro hac vice*.

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2. I was admitted to practice in the State of New York in 2004, the United States District Court for the Northern District of Illinois in 2012, the United States District Court for the Southern District of New York in 2015, and the United States Court of Appeals, Fifth Circuit in 2018.

3. I am in good standing before the courts in which I am admitted, and I have not been disbarred, suspended or disciplined by any court or administrative body. The name and address of the office maintaining the roll of members in good standing for the state of New York bar is Appellate Division, 1st Department, 27 Madison Avenue, New York, NY 10010. The name and address of the office maintaining the roll of members in good standing for the United States District Court for the Southern District of New York bar is Southern District of New York, 500 Pearl Street, New York, New York 10007 and for the United States Court of Appeals for the Fifth Circuit is 600 S. Maestri Place, Suite 115, New Orleans, LA 70130.

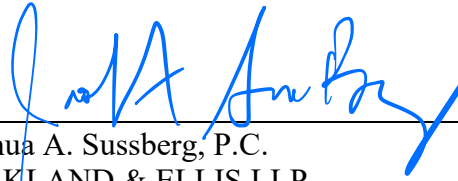
4. The Debtors filed the within Application for the Professional Corporation's *pro hac vice* admission in these matters due to my familiarity with the facts and circumstances relevant to its interests. If the Application is granted, I agree to abide by this Court's local rules and to submit myself to the disciplinary jurisdiction of this Court.

5. I hereby designate the following member of the bar of this Court with whom the Court and opposing counsel may communicate regarding these cases: Michael D. Sirota, Esq.

6. For the foregoing reasons, I respectfully request the Professional Corporation's application for admission *pro hac vice* be granted.

Debtor Bed Bath & Beyond Inc.'s principal place of business and the Debtors' service address in these chapter 11 cases is 650 Liberty Avenue, Union, New Jersey 07083.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



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DATED: April 24, 2023